

Panaji, 9th February, 1976 (Magha 20, 1897)

SERIES III No. 45



OFFICIAL GAZETTE

GOVERNMENT OF GOA, DAMAN AND DIU

EXTRAORDINARY

GOVERNMENT OF GOA, DAMAN AND DIU

Urban Development Department

Panjim Municipal Council
Panjim-Goa

Bye-Law No. PMC/BL/4/1975 (Building Bye-Laws and Regulations)

In exercise of the powers conferred under Section 308(2) of the Goa, Daman and Diu Municipalities Act, 1968 the following Bye-Law approved by the Council in its meeting held on 19-5-1975 in respect of Building Regulations is hereby published for the information of the residents, Owners of the buildings, Engineers, Architects, etc. This Bye-Law will come into force with effect from 19th May 1975.

Extracts from the Goa, Daman and Diu Municipalities Act, 1968.

Control over buildings

184. *Notice of construction of building.*—(1) The expression «To construct a building» throughout this Chapter includes—

(a) any material alteration, enlargement or reconstruction of any building, or of any wall including compound wall and fencing, verandah, fixed platform, plinth, door step or the like, whether constituting part of a building or not;

(b) the conversion into a place for human habitation of any building not originally constructed for human habitation;

(c) the conversion into more than one place for human habitation of any place originally constructed as one such place;

(d) the conversion of two or more places of human habitation into a greater number of such places;

(e) such alterations of the internal arrangements of a building as affect its drainage, ventilation or other sanitary arrangements, or its security or stability; and

(f) the addition of any rooms, buildings, or other structures to any buildings and a building so altered, enlarged, reconstructed, converted or added to, is throughout this Chapter included under the expression «a new building».

(2) Before beginning to construct any building, the person intending so to construct shall give to the Chief Officer notice thereof in writing and shall furnish to him at the same time, if required by a bye-law or by a special order to do so, a plan

showing the levels, at which the foundation and lowest floor of such building are proposed to be laid, by reference to some level known to the Chief Officer, and all information required by the bye-laws or demanded by the Chief Officer regarding the limits, design, ventilation and materials of the proposed building, and the intended situation and construction of the drains, privies, water-closets, house-gullies and cesspools, if any, to be used in connection therewith, and the location of the building with reference to any existing or projected streets, the means of access to such building and the purpose for which the building will be used:

Provided that, if the bye-laws of the Council so require, such notice shall be in such form as the Council may from time to time prescribe and such plans shall be signed by a person possessing the qualification laid down in the bye-laws or licensed under the bye-laws so to sign such plans.

(3) If the person giving notice under sub-section (2) fails to—

(i) furnish all the information and documents required under sub-section (2); or

(ii) the Chief Officer deems it necessary to call for any further information or documents,

the Chief Officer shall, within sixty days of the receipt of the notice, require such person by an order in writing to furnish such information or documents.

(4) within sixty days of the receipt by the Chief Officer of the notice under sub-section (2), or if any further information and documents have been called for under sub-section (3) then within sixty days of the receipt of all such further information and documents, the Chief Officer may—

(a) grant the necessary permission to construct according to the plans and information furnished under sub-section (2) and sub-section (3);

(b) impose any conditions in accordance with this Act or the rules and bye-laws made thereunder, as to the level, drainage, sanitation, materials or to the number of storeys to be erected, or with reference to the location of the building in relation to any street existing or projected or to the means of access to such building on the purpose for which the building is to be used;

(c) direct that the work shall not be proceeded with unless and until all questions connected with the respective location of the building or street have been decided to his satisfaction;

(d) subject to the provisions of the next succeeding section, refuse such permission for reasons which shall be communicated to the applicant in writing.

(5) The Council may, before any work has been commenced in pursuance of any permission granted by the Chief Officer under sub-section (4), revoke such permission and may give fresh permission in lieu thereof or issue any other order as may be passed by the Chief Officer under sub-section (4).

(6) If the Chief Officer fails to issue an order under clause (c) or (d) of sub-section (4) within the period prescribed in that sub-section, the person giving notice under sub-section (2) shall, after the expiry of the said period, be entitled to proceed with the work in respect of which such notice has been given under sub-section (2), in the manner specified in such notice, provided that such manner is not inconsistent with any provision of this Act or any rule or bye-law for the time being in force thereunder.

(7) No person who becomes entitled under sub-section (4), (5) or (6) to proceed with any intended work of which notice is required by sub-section (2), shall commence such work after the expiry of the period of one year from the date on which he first became entitled so to proceed therewith, unless he shall have again become so entitled by a fresh compliance with the provisions of sub-section (2) to (6).

(8) If any person begins any construction of a building of which notice is required to be given under sub-section (2)—

(i) without the permission of the Chief Officer under sub-section (4) or of the Council under sub-section (5), save as otherwise provided under sub-section (6); or

(ii) having received permission under clause (a) of sub-section (4), contrary to the plans and information furnished under sub-sections (2) and (3); or

(iii) having received permission under clause (b) of sub-section (4), contrary to the conditions imposed under that clause or contrary to the plans and information submitted under sub-sections (2) and (3) in so far as such plans and information are not modified by such conditions; or

(iv) contrary to the provisions of sub-section (6), when construction is begun under that sub-section, the Chief Officer may, by a written notice, require such person to stop such construction and to alter or demolish any construction already made as specified in the notice. If, within fifteen days from the service of such notice for demolishing any such construction, the work of demolishing it is not commenced, the Chief Officer may cause such work to be done and the expenses incurred therefor shall be recoverable from the person concerned in the same manner as an amount due on account of a property tax.

(9) Any person who fails to comply with the notice issued by the Chief Officer under sub-section (8), shall, on conviction, be punished with fine which may extend to five thousand rupees.

(10) The Court convicting such person may also direct such person to demolish or alter the building in accordance with the order of the Chief Officer or in such other manner as the Court may deem proper and within the period specified by the Court. If such person fails to demolish or alter the building within the period specified by the Court, or in the manner required by the Court, he shall, on conviction, be punished with further fine which may extend to twenty-five rupees for every day after the expiry of the period for compliance specified by the Court in its order during which such non-compliance continues.

(11) Nothing in sub-section (8) or (10) shall be deemed to effect the power of the Council or the Chief Officer to demolish or alter the building under section 190.

(12) The Chief Officer may, at any time, inspect without giving notice of his intention to do so, any work of which notice is required by sub-section (2); and at any time during the execution of any work may, by written notice, specify any matter in respect of which the execution of such work is in contravention of any provision of this Act or of any bye-laws made under this Act or of any order passed under this section; and require the person executing such work to cause anything done contrary to any such provision or bye-laws or order to be amended or to do anything which by any such provision or bye-law or order he is required to do but which has been omitted.

185. Powers of Chief Officer and Council to refuse permission.—(1) When a person has given notice to the Chief Officer under sub-section (2) of the last preceding section in regard to his intention to construct a building, it shall be lawful to the Chief Officer to refuse the permission applied for—

(i) if the Council passes a resolution proposing to acquire the land on which the building is proposed to be constructed; or

(ii) if the proposed construction would contravene the provisions of this Act, or any other law for the time being in force or any schemes, rules, bye-laws or other orders under this Act or any other law for the time being in force; or

(iii) if the notice under sub-section (2) of the last preceding section is not in accordance with the provisions of that sub-section or is not accompanied by the information and documents required by that sub-section or if the person giving such notice fails to furnish all the information and documents required under sub-section (3) of that section; or

(iv) if no plan has been prepared for the laying out of streets for the area in which the building is to be constructed; or

(v) if there is no adequate provision for access to the building; or

(vi) if the proposed construction be an encroachment on Government or municipal land; or

(vii) for any other reasons to be recorded in writing, which may be deemed sufficient by the Chief Officer.

Where the permission applied for is refused the decision taken and reasons therefor shall be communicated to the applicant.

(2) Refusal under clause (i) of sub-section (1) shall be subject to the following conditions:—

(a) if the property is acquired and no agreement is arrived at as regards the amount of compensation payable to the person giving notice under sub-section (2) of the last preceding section, the same shall be determined in accordance with the provisions of section 315 regard being had to the likely benefit, which would have accrued to such person, if the permission had not been refused;

(b) if within a period of six months from the date of the resolution of the Council proposing to acquire the land, the land is not acquired by the Council by agreement upon payment, or if within such period, an application has not been made to the Collector for the institution of proceedings for compulsory acquisition under the provision of the Land Acquisition Act, 1894 or if the Council abandons the proposal to acquire the land, the notice given under sub-section (2) of the last preceding section shall be deemed to have been revived with effect from the date on which the said period of six months expires, or with effect from the date on which the decision of the Council to abandon the proposal is arrived at, as the case may be. Such decision shall be communicated to the person giving notice, within fifteen days from the date of the decision; and the notice shall be dealt with as if the Council had not passed a resolution to acquire the land. The Council shall be liable to pay compensation to the said person in respect of the loss which he may prove to have incurred by reason of the Council's refusal to grant the permission.

Provided that the Council shall not be liable to pay compensation if the notice under sub-section (2) of the last preceding section is given subsequent to the passing of the resolution by the Council to acquire the land.

186. Level of buildings.—After the appointed day, no building shall be constructed upon a lower level than will allow of the drainage thereof being led into some public sewer or drain either than existing or projected by the Council or into some stream or river or into the sea or some cesspool or other suitable place which may be approved of by the Chief Officer.

187. Roof and external walls of buildings not to be made of inflammable materials.—(1) The external roofs and walls of buildings constructed or renewed after the appointed day, shall not be made of grass, wood, cloth, canvas, leaves, mats or other inflammable material, except with the written permission of the Chief Officer, which may be given either specially in individual cases, or generally in respect of any area specified therein.

(2) The Council may by bye-laws prescribe—

(i) the areas in which permission shall be granted by the Chief Officer for the construction of external roofs and walls of buildings from any inflammable material;

(ii) the conditions which may be imposed by the Chief Officer in granting permission for such construction in any other area.

(3) The Chief Officer may at any time by written notice require the owner of any building which has an external roof or wall made of any such material as aforesaid, to remove such roof or wall within such reasonable time as shall be specified in the notice, whether such roof or wall was or was not made before the appointed day and whether it was made with or without the permission of the Chief Officer.

(5) Whoever without such permission as is required by sub-section (1), makes or causes to be made, or in disobedience to the requirements of a notice given under sub-section (2) suffers to remain, any roof or wall of such material as aforesaid, shall, on conviction, be punished with fine which may extend to one hundred rupees, and in the case of a continuing offence with further fine which may extend to twenty-five rupees for every day after the first during which such offence continues.

188. *Completion certificate, permission to occupy or use.*—(1) Every person constructing a building shall, within one month after the completion of construction of such building, deliver or send or cause to be delivered or send or cause to be delivered or sent to the Chief Officer at his office, notice in writing of such completion and shall give to the Chief Officer all necessary facilities for inspection of such building:

Provided that—

(a) such inspection shall be commenced within seven days from the date of receipt of the notice of completion; and

(b) the Chief Officer may, not later than one month from the date of receipt of the notice of completion, by written intimation addressed to the person from whom the notice of completion was received,—

(i) give permission for the occupation of such building or for the use of the building or part thereof affected by such construction; or

(ii) refuse such permission in case such building has been constructed so as to contravene any provision of this Act or of any bye-law made under this Act at the time in force or of any order passed under section 184 intimating to the person who gave the notice under sub-section (2) of that section, the reasons for such refusal and requiring such person, or if the person responsible for giving notice under sub-section (2) of the said section is not at the time of such notice owner of such building, then such owner to cause anything which is contrary to any provision of this Act or of any bye-law made under this Act at the time in force or of any order passed under section 184 to be amended or to do anything which by any such provision or bye-law or order he is required to do but which has been omitted.

(2) No person shall occupy or permit to be occupied or use or permit to be used any such building constructed or part thereof affected by such construction until—

(a) the permission referred to in proviso (b) to sub-section (1) has been received, or

(b) the Chief Officer has failed for one month after the receipt of the notice of completion to intimate as aforesaid his refusal of the said permission.

(3) Whoever—

(a) occupies or permits to be occupied any such building or part thereof affected by such construction without giving any notice as required under sub-section (1) or in contravention of the provisions of sub-section (2); or

(b) fails to comply with any order or requisition made under sub-section (1) shall, on conviction, be punished with fine which may extend to five hundred rupees, and in the case of continuing contravention or non-compliance with further fine which may extend to twenty-five rupees for every day after the first during which such contravention or non-compliance continues.

189. *Building for human habitation not to be used as godown, etc. and vice versa.*—(1) No person shall without the written permission of the Chief Officer or otherwise than in conformity with the terms of such permission,—

(i) use or permit to be used any building or part thereof originally constructed or authorised to be used for human habitation as a godown, warehouse, workshop, work-place, factory, stable or a motor garage; or

(ii) use or permit to be used for human habitation any part of a building not originally constructed or authorised to be used for that purpose.

(2) If any person contravenes any provision of sub-section (1), he shall, on conviction, be punished with fine which may extend to five hundred rupees, and in the case of continuing contravention with further fine which may extend to ten rupees for every day after the first during which such contravention continues.

190. *Removal of buildings, structures, etc., which are in ruins or likely to fall.*—(1) If it shall at any time appear to the Chief Officer that any building or other structure or anything affixed to such building or structure is in a ruinous condition or likely to fall, or in any way dangerous to any person occupying, resorting to or passing by such building or structure or any other structure or place in the neighbourhood thereof, the Chief Officer may, by written notice, require the owner or occupier of such building or structure to pull down, secure, remove or repair such building, structure or thing or do one or more such things and to prevent all causes of danger therefrom.

(2) The Chief Officer may also, if he thinks fit, require the said owner or occupier, by the said notice, either forthwith or before proceeding to pull down, secure, remove or repair the said building, structure or thing, to set up a proper and sufficient hoard or fence for the protection of passers by and other persons.

(3) If it appears to the Chief Officer that the danger from a building, structure or thing which is ruinous or about to fall is of hourly imminence, he shall, before giving notice as aforesaid or before the period of notice expires, fence off, take down, secure or repair the said structure or take such steps or cause such work to be executed as may be required to arrest the danger.

(4) Any expenses incurred by the Chief Officer under sub-section (3) shall be paid by the owner or occupier of the structure and shall be recoverable in the same manner an amount due on account of a property tax.

191. *Penalty for defacing building, etc.*—Any person—

(a) who, without the consent of the owner or occupier, and in the case of municipal property without the permission in writing of the Chief Officer, affixes any posting bill, placard or other paper or means of advertisement against or upon any building, wall, board, fence, pole, post, lamp-post or the like; or

(b) who, without such consent or permission as aforesaid, writes upon, soils, defaces or marks any such building, wall, board, fence, pole, post, lamp-post or the like, with chalk or paint or in any other way whatsoever,

shall, on conviction, be punished with fine which may extend to fifty rupees.

192. *Fixing of lamps, brackets, etc., to houses.*—

The Chief Officer may erect or fix to the outside of any building brackets for lamps to be lighted with oil, or gas, or subject to the provisions of the Indian Electricity Act, 1910, for lamps to be lighted with electricity or otherwise, or subject to the provision of the Indian Telegraph Act, 1885, for telegraph wires or telephone wires or wires for the conduct of electricity for locomotive purposes. Such brackets shall be erected or fixed so as not to occasion any inconvenience or nuisance to the occupants of the said building or of any others in the neighbourhood, or to the public.

IX of 1910

XIII of 1885

193. *Regulations of huts.*—It shall not be lawful for any person to erect any hut or range or block of huts or to add any hut to any range or block of huts already existing on the appointed day, without giving previous notice to the Chief Officer. The Chief Officer may require such huts to be built so that they stand in regular lines, with a free passage or way in front of and between every two lines, of such width as the Chief Officer may think proper for ventilation and to facilitate scavenging, and at such a level as will admit of sufficient drainage; and may require such huts to be provided with such number of privies and such means of drainage as he may deem necessary. If any hut or range or block be built without such notice being

given to the Chief Officer, or otherwise than as required by the Chief Officer, the Chief Officer may give written notice to the owner of building thereof, or to the owner or occupier of the land on which the same is erected or is being erected, requiring him within such reasonable time as shall be specified in the notice to take down and remove the same, or to make such alterations therein or additions thereto as having regard to sanitary considerations the Chief Officer may think fit.

194. *Improvement of huts.*—(1) Where the Council is of opinion that any hut, whether used as a dwelling or for any other purpose, and whether existing on the appointed day or subsequently erected, is by reason—

(a) of insufficient ventilation or of the manner in which such hut is crowded together with other huts; or

(b) of the want of a plinth or of a sufficient plinth or of sufficient drainage; or

(c) of the impracticability of scavenging, attended with risk of disease to the inhabitants of the neighbourhood, the Council shall cause a notice to be affixed to some conspicuous part of such hut, requiring the owner or occupier thereof, or the owner of the land on which such hut is built, within such reasonable time as may be fixed by the Council in this behalf, to take down and remove such hut or to carry out such alteration or works as the Council may deem necessary for the avoidance of such risk.

(2) Where any such owner or occupier refuses or neglects to take down and remove such hut or to carry out such alterations or works within the time appointed, the Chief Officer may cause such hut to be taken down, or such alterations or works to be carried out, in accordance with the requirements of the Council.

(3) Where such hut is taken down by the Chief Officer, he shall cause the materials of the hut to be sold, if such sale can be effected; and the proceeds, after deducting all expenses, shall be paid to the owner of the hut, or if the owner is unknown or the title disputed, shall be held in deposit by the Council until the person interested therein shall obtain an order of a competent Court for the payment of the same:

Provided that, where any such hut, which had not been constructed in contravention of any law for the time being in force at the time of such construction, is taken down and removed under this section, compensation shall further be paid to the owner or owners thereof and the amount thereof, in case of dispute, shall be ascertained and determined in the manner provided in section 315.

318. *Entry for purposes of the Act.*—(1) Subject to the provisions of sub-section (2) to (4), it shall be lawful for the President, the Vice President, the Chief Officer or any officer authorised by or under this Act, or by the Chief Officer in this behalf, to enter for the purposes of this Act with such assistants as he may deem necessary, into and upon any building or land and to open or cause to be opened any door, gate or other barrier—

(a) if he considers the opening thereof necessary for the purpose of such entry; and

(b) if the owner or occupier is absent or being present refuses to open such door, gate or barrier.

(2) Save as otherwise provided in this Act or any rule or bye-law made thereunder, no entry authorised by or under this Act, shall be made except between the hours of sunrise and sunset.

(3) Save as otherwise provided in this Act or any rule or bye-law made thereunder, no land or building shall be entered into or upon without the consent of the occupier or, if there be no occupier, of the owner thereof and no such entry shall be made without giving the said occupier or owner, as the case may be, not less than twenty-four hours' written notice of the intention to make such entry;

Provided that no such notice shall be necessary if the place to be inspected is a factory or workshop or trade premises or a stable for horses or a shed for cattle or a latrine or urinal or a work under construction, or for the purpose of ascertaining whether any animal intended for human food is slaughtered in that place in contravention of this Act or any bye-law made thereunder.

(4) When any place used as a human dwelling is entered under this Act, due regard shall be paid to the social and religious customs and usages of the occupants of the place entered, and no apartment in the actual occupancy of a female shall be entered or broken open until she has been informed that she is at liberty to withdraw and every reasonable facility has been afforded to her for withdrawing.

323. *General provisions regarding grant, suspension or withdrawal of licences and written permission and levy of fees, etc.*—(1) Whenever it is provided by or under this Act that a licence or a written permission may be given for any purpose, such licence or permission shall specify the period for which, and the restrictions and conditions subject to which, the same is granted and the date by which an application for the renewal of the same shall be made, and shall be given under the signature of the Chief Officer or of any other municipal officer empowered by or under this Act or by the Chief Officer to grant the same.

(2) Except as otherwise provided by or under this Act, there shall be charged a fee—

(a) for every such licence at such rates as shall from time to time be specified in the respective provision of the bye-laws relating to the grant of such licence; and

(b) for every such written permission at such rates as shall from time to time be specified in the bye-laws made in this behalf:

Provided that—

(i) such fee may be a recurring fee;

(ii) the bye-laws may provide for the levy of a higher fee by way of penalty for any act done by any person without licence or written permission;

(iii) the higher fee levied under clause (ii) of this proviso shall be leviable in addition to any other penalty or liability to which such person may be liable under the provisions of this Act or any rules or bye-laws made thereunder.

(3) Any licence or written permission granted under this Act may at any time be suspended or revoked by the competent authority, if such authority is satisfied that it has been secured by the holder through misrepresentation or fraud or if any of its restrictions or conditions are infringed or evaded by the person to whom the same has been granted, or if the said person is convicted of an infringement of any of the provisions of this Act or of any rule or bye-law pertaining to any matter to which such licence or permission relates.

(4) When any such licence or written permission is suspended or revoked or when the period for which the same was granted has expired, the person to whom the same was granted shall, for all purposes of this Act, be deemed to be without a licence or written permission, until the order for suspending or revoking the licence or written permission is cancelled or until the licence or written permission is renewed, as the case may be:

Provided that, when an application has been made for the renewal of a licence or written permission by the date specified therein, the applicant shall be entitled to act as if it has been renewed, pending the receipt of orders.

(5) Every person to whom any such licence or written permission has been granted shall, at all reasonable times, while such written permission or licence remains in force, if so required by the Chief Officer or any municipal officer duly authorised in this behalf, produce such licence or written permission.

(6) Every application for a licence or written permission shall be addressed to the Chief Officer.

(7) The acceptance by or on behalf of the Council of the fee for a licence or permission shall not in itself entitle the person paying the fee to the licence or permission.

1. *Short title.*—These bye-laws and regulations shall be called the Panjim Municipal Council building bye-laws and regulations 1975.

2. *Definitions.*—In these bye-laws and regulations, unless the context otherwise requires:—

1. 'Architect' means any person registered by the Architects Registration Act 1972 or deemed to be registered under that act holding a licence issued by the Council.

2. 'Act' means the Goa, Daman and Diu Municipalities Act 1968.

3. 'Addition' to a building means addition to the cubic contents or to the floor area of a building.

4. 'Area' in relation to a building means the superficies of a horizontal section thereof made at the plinth level inclusive of the external walls and of such portions of the party walls as belong to the building.

5. 'Balcony' means a horizontal projection including hand rail, balustrade or a parapet to serve as a passage or sitting out place; if roofed, becomes balcony verandah;

6. 'Building' includes a house, out-house, stable, shed, hut and other enclosure or structure, whether of masonry, bricks, wood, mud, metal or any other material whatever, whether used as a human dwelling or otherwise and also includes verandahs, fixed platforms, plinths, door steps, walls (including compound walls) and fencing petrol filling stations and the like.

7. Basement Storey or cellar, means any storey of a building which is under the plinth of first storey (ground floor storey) or below or partly below the surrounding ground.

8. 'Building, height of' means the vertical distance measured, in the case of flat roofs from the average level of the centre line of the adjoining street to the highest point of the building adjacent to the street wall, and in the case of pitched roofs up to the point where the external surface of the outer wall intersects the finished surface of the sloping roof and in the case of cable facing the road, the mid-point between the eaves level and the ridge; architectural features serving no other function except that of decoration shall be excluded for the purpose of taking heights and a parapet not exceeding 1.3 meters above the terrace floor and if the building does not abut on a street, the height shall be measured above the average level of the ground around and contiguous to the building;

9. 'Building lines' means the line upto which the plinth of a building abutting on a street or on an extension of a street or on a future street may lawfully extend.

10. 'Building of the warehouse class' means a building, the whole or a substantial part of which is used or intended to be used as a or for any similar purpose which is neither a domestic building for a public building as defined in this bye-law nor merely a shop if so used.

11. 'Civil Engineer' means any person whose qualifications is eligible for membership of institution of engineers holding a licence from the Council.

12. 'Cesspool' includes a tank for the reception or disposal of foul matter from buildings;

13. 'Ceiling height' means vertical distance between the floor and the ceiling;

14. 'Chief Officer' means the person appointed or deemed to be appointed under the Act to be the Chief Officer of Panjim Municipal area.

15. 'Council' means Panjim Municipal Council constituted or deemed to be constituted under the Act from Panjim Municipal Area.

16. 'Commercial Building' means a building, the whole or a substantial part, not less than two-thirds of whose entire floor area, is used or intended to be used, for business purposes.

17. 'Covered Area' — Ground area covered by the building immediately above plinth level, but does not include the spaces covered by:

(a) garden, rockery, wall structures, plants, nursery, water pool, swimming pool (if not covered), platform round a tree, tank, fountain, bench and the like.

(b) drainage, culvert, conduit, catch-pit, chamber gutter and the like; and

(c) compound wall, gate, unstoreyed porch and portico, slide, areas covered by chajja and the like.

18. Coverage means the percentage obtained by dividing the covered area at the ground floor and the projection on the upper floors, by the plot area, multiplied by 100.

$$\text{Coverage} = \frac{100 \times \text{built up areas}}{\text{plot area}}$$

19. Clean Industry — are those which do not throw out any smoke, noise, offensive odour of harmful industrial wastes. They should not normally employ more than 40 people with or without power.

20. a) Corner plot means a plot at the junctions of any fronting on two or more inter sections/streets, provided:—

1. Streets concerned shall be a public one, or to be declared as public one if the plot is newly constituted, and

2. The widths (R/W) of the streets in question are not less than 8m.

Corner plots within the above definition will be deemed to have only «sides» for the purposes of applying the building bye-laws, subject to satisfying the requirements of line of sight as prescribed from time to time.

b) A Triangular plot which is a corner plot: A Triangular plot fronting such two or more streets is also to be treated as a «Corner» plot.

21. «Drain» includes a sewer, tunnel, pipe, ditch, gutter or channel and any cistern, flush-tank, septic tank, or other device for carrying off or treating sewage, offensive matter, polluted water, sullage, waste water, rain water or sub-soil water and any culvert, ventilation shaft or pipe or other appliance or fitting connected therewith, and any ejectors, compressed air mains, sealed sewage mains and special machinery or apparatus for raising, collecting, expelling or removing sewage or offensive matter from any place.

22. «Drainage system» means the Government sewer.

23. «Dwelling» means a building or a portion thereof which is designed or used wholly or principally for residential purpose.

24. «Extension of a building» means any addition to a building over land open to sky at the time of the proposed addition.

25. «External air» or «Open air space» means space open to sky.

26. «External wall of a building» means an outer wall of a building not being a party wall, even though adjoining a wall of another building and also means a wall abutting an interior open space of any building.

27. «Eating house» means any premises to which the public or any section of the public are admitted and where any kind of food is prepared or supplied for consumption on the premises or elsewhere for the profit or gain of any person owning or having an interest in or managing such premises.

28. «Factory» means a factory as defined in LXIII of the Factories Act, 1948.

29. «Filt» includes sewage, night soil and all offensive matter.

30. The expression «Fire resisting material» includes any of the following materials and things, namely:—

a) Brickwork constructed of good, hard, sound, well-burnt bricks stone or other hard and incombustible materials properly bounded and solidly put together:— (i) with mortar well compounded of not less than one part of good fresh burnt lime and not more than two parts of clean sharp sand or other like and suitable material to be approved by the Council; (ii) with good cement; or (iii) with good cement mixed with sand or other suitable material to be approved as aforesaid.

(b) Iron and steel encased in cement concrete or in asbestos sheets.

(c) Oak and teak and other hard timber when used for beams and posts, or in combination with iron, the timber and the iron (if any) being protected by plastering or other incombustible or non-conducting not less than 5 cms in thickness or in the case of timber not less than 2.5 cm in thickness or iron lathing.

(d) Slate, tiles, brick and terra-cotta when used for coverings or corbels.

(e) Flagstones when used for floors over arches, but not exposed on the under side and not supported at the end only.

(f) Concrete not less than 10 cms in thickness, composed of broken bricks, stone chippings, or ballast and lime cement or calcined gypsum when used for filling in between joints of floors.

(g) Reinforced cement concrete.

(h) Any article made of asbestos and cement.

(i) Any other material from time to time approved in this behalf by the Council.

31. «First storey» means a ground floor storey immediately above plinth or above the top surface of basement storey.

32. «Floor» means the same thing as a «storey» except that «ground floor» means «first storey», «first floor» means «second storey», «second floor» means «third storey» and so on.

33. «Floor area ratio or F. A. R.» means the quotient obtained by dividing the multiple of the total floor area on all floors including the mazzanines and 100, by the area of the plot.

$$\text{F. A. R.} = \frac{\text{Total floor area} \times 100}{\text{Area of the plot}}$$

34. «Footing» means off set portions of a foundation to provide a greater bearing area.

35. «Foundation» means that part of a structure which is below the lower most floor and which provides support for the superstructure and which transmits loads of the superstructure to the bearing materials;

36. «Front» as applied to a building means that portion facing to such access to a building.

37. «Floor area» in relation to a building means the surface floor area at each floor level (except at the terrace floor level) exclusive of external, belonging to a building.

38. «Family» means a group of individuals normally related in blood or connected by marriage living together as a single house keeping unit, and having, common kitchen arrangements.

39. «Government» means the Government of Goa, Daman and Diu.

40. «Group Housing» means more than one building containing habitable rooms on a single plot.

41. «Garage» means a building or portion thereof used or intended to be used for the shelter of any mechanically propelled vehicle.

42. «Service Garage» means a building or portion thereof, used or intended to be used for the shelter, storage of repair of any mechanically propelled vehicle.

43. «Gallery» means the raised portion of a room which remains open.

44. «House drain» means any drain, and used for the drainage of, one or more buildings or premises and made merely for the purpose of communicating therefrom with a drainage system.

45. «Habitable room» a room occupied or designed for occupancy by one or more persons for study, living, sleeping, eating but not including kitchens, bathrooms, water-closet compartments, laundries, serving and storage pantries, corridors, cellars, articles and spaces that are not used frequently or during extended period.

46. «Industrial building» means a building wholly or principally used as factory, ware-house, laundry, brewery distillery, iron foundry or for any similar purpose.

47. «Internal court yard» means a space open to sky enclosed or partially enclosed by building, boundary walls or railing and may be at ground floor level or any other level within or adjacent to a building.

48. «Land» includes land which is being built upon or is built upon or covered with water, benefits to arise out of land, things attached to the earth or permanently fastened to anything attached to the earth and rights created by legislative enactment over any street.

49. «Lodging house» means a building or part of a building where lodging with or without board or other service is provided for a monetary consideration, and includes a lodging house for pilgrims whether lodging is provided for or without any monetary consideration.

50. «Level or ground» means the mean level of the ground as determined by the Chief Officer.

51. «Light Industry» are those which do not throw out excessive smoke, noise, offensive odour or harmful industrial wastes. They should not normally employ more than 40 people with or without power.

52. «Loft» means any intermediate floor in between two main floors but not more than 78 cms. in height which may be adopted or constructed for storage purposes.

53. «Market» includes any place where persons assemble for the sale of, or for the purpose of exposing for sale, live-stock or food for live-stock or meat, fish, fruit, vegetables, drinking, animals intended for the human food or any other articles or human food whatsoever with or without the consent of the owner of such place, notwithstanding that there may be not common regulation of the concourse of buyers and sellers and whether or not any control is exercised over the business or the persons frequenting the market by the owner of the place or any other persons.

54. «Municipal Market» or «Municipal slaughter-house» means a market or a slaughter-house, as the case may be, which belongs to or is maintained by the Council.

55. «Municipal Engineer» means the Engineer appointed under Section 72 of the Act.

56. «Mazzanine Floor» means an intermediate floor between two main floors not less than 2.20 m in height from the lower level of floor and 2.20 m. in height from the intermediate level to the ceiling of a room or hall and not more than 1/3rd of floor area in which it is constructed.

57. «Nuisance» includes any act, omission, place or thing which causes or is likely to cause injury, danger, annoyance or offence to the sense of sight, smell or hearing or which is or may be dangerous to life or injurious to health or property.

58. «Notification» means a notification published in the Official Gazette.

59. «Occupier» includes:

(a) any person who for the time being paying or is liable to pay to the owner the rent or any portion of the rent of the land or building in respect of which such rent is paid or is payable,

(b) an owner living in or otherwise using his land or building.

(c) a rent-free tenant.

(d) a licensee in occupation of any land or building, and

(e) any person who is liable to pay to the owner damages for the use and occupation of any land or building.

60. «Offensive Matter» includes animal carcasses, dung, dirt and putrid or putrifying substances other than sewage.

61. «Open space» means an area forming an integral part of the plot open to the sky.

62. «Owner» means:—

(a) when used with reference to any premises, the person who receives the rent thereof if the premises or who would be entitled to receive the rent thereof if the premises were let, and includes—

(i) an agent or trustee who receives such rent on account of the owner.

(ii) an agent or trustee who receives the rent of, or is entrusted with or concerned for, any premises devoted to religious, charitable purposes;

(iii) a receiver, sequestrator or manager appointed by any Court of competent jurisdiction to have the charge of, or to exercise the rights of an owner of, the said premises; and

(iv) a mortgage-in-possession; and

(b) when used with reference to any animal, vehicle or boat, includes the person for the time being in charge of the animal, vehicle or boat;

63. «Private Street» means any street which is not opened to public use.

64. «Panjim Municipal area» means any local area declared or deemed to be declared as Panjim Municipal area by or under the Act.

65. «Privy» means a place set apart for defeating or urinating or both, together with the structure comprising such place, the receptacle therein for human excreta and the fittings and apparatus, if any, connected therewith, and includes a closet of the dry type, and aqua privy, a latrine and a urinal.

66. «Public Place» includes any public park or garden or any ground to which the public have or are permitted to have access.

67. «Public street» means any street—

- (a) over which the public have a right of way;
- (b) heretofore levelled, paved, metalled, channelled, sewered, or repaired out of Municipal or other public funds; or
- (c) which under the provisions of the Act becomes, or is declared, a public street;

68. «Plinth» means the portions of the external wall between the level of the street and the level of the floor first above the street, and except in the case of, garages, godowns and buildings of the warehouse class shall in no part be less than 60 cms above the level of the centre of the adjacent portion of the nearest street or below such standard level as may from time to time be fixed by the Municipal Council.

69. «Plot» means a continuous portion of land held in one ownership.

70. «Public utility building» means a building used or intended to be used either ordinarily or occasionally, as a church, chapel, temple, mosque or any other place of public worship, Dharmashala, college, school, hostel, theatre, cinema, public concert room, public hall, public bath, hospital, hotels, restaurants, or lecture room or any other place of public assembly.

71. «Plot double frontage» means a plot having a frontage in two streets, other than a corner plot.

72. «Parking space» means an area enclosed or unenclosed to park vehicles together with a driveway connecting the parking space with a street or alley and permitting ingress and egress of the vehicles, as set out in the bye-laws and regulations.

73. «Partition» means a wall which supports no load other than its own weight.

74. «Rear» as applied to a building means that portion which is on the opposite side of the front.

75. «Repairs» mean and include:—

- (a) plastering and patch repairs;
- (b) re-roofing or renewal of roof without raising the height and shape.
- (c) flooring and reflooring without changing the specifications of the existing material.

76. «Rubbish» includes dust, ashes, broken bricks, mortar, broken glass, garden or stable refuse and refuse of any kind which is not offensive matter or sewage;

77. «Rules» means rules made by the Government under the Act.

78. «Reconstituted plot» means a plot which is in any way altered by the making of a scheme.

Explanation:—'altered' includes the alteration of ownership.

79. «Residential Building» means a building used or constructed or adapted to be used wholly or principally for human habitation and may include garages, and other outhouses apartments thereto.

80. «Scheme» means any scheme approved by the Council for any improvement, or new development, etc.

81. «Section» means a section of the Act;

82. «Store or shop» means any store or shop in which it is not intended that any person shall reside.

83. «Structural designer» means any person as defined as civil engineer.

84. «Storey of a building» means that part of a building between the top of any floor level and the top of the floor or roof level next above.

85. «Structure» means that which is built or constructed; an edifice or building of any kind or any piece of work artificially built up or composed of parts joined together in some definite manner.

86. «Sewage» means night-soil and other contents of water closets, latrines, privies, urinals, cesspools or drains and polluted water from sinks, bathrooms, and other like places, and includes trade effluent and discharges from manufactures of all kinds.

87. «Street» means any road, foot-way, square, court-alley, or passage, accessible whether permanently or temporarily to the public whether a throughfare or not; and shall include every vacant space, notwithstanding that it may be private property and partly or wholly obstructed by any gate, post, chain or other barrier, of houses, shops or other buildings abut thereon and if it is used by any person as a means of access to or from any public place or thoroughfare, whether such persons be occupiers of such buildings or not, but shall not include any part of such space which the occupier of any such building has a right at all hours to prevent all other persons from using as aforesaid.

88. «Top-most storey» means the uppermost storey in a building, whether constructed wholly or partly in the roof or not, and whether used or constructed or adapted for human habitation or not.

89. «Temporary construction» any construction other than in RCC steel or masonry in lime or cement mortar with a regular foundation in the soil.

90. «Vehicle» includes a carriage, cart, van, dray, truck, hand-cart, bicycle, tricycle, motor car, and every wheeled conveyance which is used or is capable of being used on a street.

91. «Water closet» means a closet which has a separate fixed receptacle connected to a drainage system and separate provision for flushing from a supply of clear water either by the operation of mechanism or by automatic action.

92. «Water connection» includes—

- (a) any tank, cistern, hydrant, stand-pipe, meter or tap situated on a private property and connected with a water-main or pipe belonging to the concerned authority and
- (b) the water-pipe connecting such tank, cistern, hydrant stand-pipe, meter or tap with such water main or pipe;

93. «Width of a street» at any point means the clear width used by the vehicle, exclusive of footways, any steps or projections, gardens, forecourts, open areas or other spaces in front of the houses or buildings erected or intended to be erected therein; and such width shall be measured at right angles to the course or direction, of intended course or direction of such street.

94. «Waste waters» means used waters from bath, washing basins, sinks, water closets and other similar appliance which also include human excreta.

95. «Zoning map» — A map indicating different use zones prepared and published under notification.

96. «Words and expressions» not defined in these bye-laws shall have the same meaning or the sense as in the Act.

(3) No building shall be executed from the operation of these bye-laws.

Preparations of Zoning Maps:

(i) The Government may prepare for the Panjim Municipal area for which these bye-laws and regulations apply, a Zoning Map indicating the different Use Zones.

(ii) The Zoning Map shall indicate:—

- a) Use Zones for residential, commercial, institutional, industrial and agricultural purposes.
- b) Public and semi public open spaces, parks and playgrounds.
- c) Existing and proposed national and State Highways, District roads, major streets, and other lines of

major communications including railways, airports, canals, and

d) such other purposes as the Government may deem fit.

(4) *Construction of building not to be done without permission of the Chief Officer:*

(A) No Building construction within the Municipal limit shall be done without obtaining previous permit in writing of the Chief Officer in which the land on which the building construction to be done, is situated, under the provisions of Section 184 of the Act.

(B) For the purpose of obtaining the permission of the Chief Officer under the provisions of sub-clause 2 of Section 184 of the Act the persons intending to obtain such permission shall apply in writing to the Chief Officer, stating the nature of the building construction proposed to be done by him and requesting for the grant of permission in the form set forth in Schedule I.

(C) Every person, who under the provisions of Section 184 of the Act may be required to furnish to the Chief Officer any plan or other documents shall furnish in triplicate copies of every such plan or other document which shall be drawn or prepared according to the provisions of these bye-laws.

(D) On receipt of such application, the Chief Officer shall grant the permission for doing the building construction applied for, in the form set forth on schedule II, if it is satisfied, after making such scrutiny and site inspection which shall be done by the Municipal Engineer, as deemed necessary, that the plans and specifications of the proposed building construction are in conformity with the provisions of these bye-laws and regulations.

(E) It shall be incumbent on every person whose plans have been approved or otherwise, to submit amended plans for any deviations he proposes to make during the construction of his building work and the procedure laid down for plans or other document heretofore shall apply to all such amended plans.

(F) All the drainage work and drainage lines shall be shown on original and amended plans in distinguishing colours as shown below:

- (i) Existing structure — black
- (ii) Open spaces — green
- (iii) Proposed building and plot boundaries — red
- (iv) Water supply line — yellow
- (v) Waste water disposal line — dotted yellow.

(G) The decision of the Chief Officer in the notice referred to in bye-laws 4(D) shall be communicated to the person giving the notice or to his legally authorized agent in writing in the form set forth in schedule II or schedule III, as the case may be within the period prescribed in section 184 and one set of the drawings and specifications duly endorsed shall be returned to him.

(5) *Site Plan.*—The site plan sent with the notice shall be drawn to a scale of 1:500 and shall show:—

- (a) boundaries of the site;
- (b) the direction of the north point relative to the plan of the building;
- (c) all existing buildings or structures on, over or under the site or projecting beyond it;
- (d) all surrounding buildings in outline within a distance of 25 metres from the boundaries of the site; showing their distances in between and from the boundary of the site;
- (e) the name of the street of which the building is proposed to be situated (if any) or location and name of the nearest street, public religious building;
- (f) the position of access from the street to the building;
- (g) the width of the street (if any) in front and of the street (if any), at the side of the building;
- (h) the dimensions of front, rear and side set backs (if any) and also of the space to be left about the buildings to secure a free circulation of air and admission of light;

(i) a clear indication of the area of the plot, its dimensions, plot coverage, and the floor area ratio and the use zone.

Note: (1) The site plan shall be accompanied by the contour map and the profile of the site wherever the site has varying reduced levels.

(2) The site plan shall be accompanied by a form duly filled in as set forth in schedule IV.

(6) *Building Plans.*—The plans, sections and elevations of the building or buildings accompanying the notice shall be accurately drawn to scale of 1m to 1 cm. The following drawings and documents are necessary:—

a) Plans of all floors, basement, terraces and accessory buildings indicating clearly:

i) the north point, the percentage of covered area, the sizes and spacing of all supporting members, and dimensions of rooms;

ii) exact location of essential services such as water closets, sinks and baths;

iii) terrace plan indicating the drainage and the slope of the roof.

b) Sectional drawings showing clearly the materials used, sizes of footings the thickness of basement walls, roof and floor slabs, walls, the sizes and spacing of raming members and the ceiling and parapet heights. The section should indicate the drainage and slope of the roofs and at least one section should be taken through the staircase;

c) all street elevations and side elevations;

d) plans of private water supply and waste waters disposal system;

e) Certificate of ownership of land in which the construction is proposed.

Note: 1) Dimensions of the portions projecting beyond the permissible building line.

2) Design and drawings of the earth pressure retaining walls in order to secure the natural line of repose of the soil, in consistency of the note 1 of Bye Law 5, if it is found necessary in the opinion of the Chief Officer.

(7) *Signing the Plans:*—

(A) All the plans shall be duly signed by (i) the owner and (ii) the registered structural designer/registered Architect or registered Engineer with their names, addresses, and registered numbers allotted by the Council.

(B) The registered structural designer/registered Architect or registered Engineer submitting false statements, information shall be suspended by the Council from submitting/signing any plans for a period not exceeding 3 years, after giving such person an opportunity of being heard.

(8) *Conditions to be observed by the buildings permit holder.*—As work progresses under the building permit the holder thereof shall cause the Chief Officer to be notified at the following stage of construction.

a) Upon commencement of the work.—The alignment shall be given by the Chief Officer within fifteen days following the receipt of the form as set forth in schedule V after which period the owner will be free to continue the construction according to the sanctioned plans, Reinforced Cement Concrete and structural steel design and drawings.

b) Upon completion of the footings.

c) Reinforced cement concrete or structural steel work shall not be started unless the structural design and drawing are approved by the Chief Officer which shall be as per Indian Standards 456-1964 code of practice for the use of plain and reinforced cement concrete in general building construction and Indian Standards: 800-1962 code of practice for use of structural steel in general building construction respectively.

d) Reinforced cement concrete and structural steel works approved by the Chief Officer shall be subject to the unconditional responsibility of the registered structural designer or registered engineer.

(9) *Completion Certificate*.—The form of notice of completion of the erection of the building or the execution of any work required to be given in pursuance of sub-section 1 of Section 188 of the Act, shall be in the form as set forth in schedule VI.

(10) *Occupancy Certificate*.—No building hereafter erected, re-erected or altered materially shall be occupied in whole or in part until the issue of an occupancy certificate by the Chief Officer affirming that such a building conforms in all respects to the requirements of these Bye-Laws and regulations and is fit for occupation under the provision of Section 188 of the Act, in the form as set forth in schedule VII.

(11) *Unsafe Building*.—In case of unsafe building the Chief Officer will exercise his powers under the provision of Section 190 of the Act, to inspect and notify the owner and occupier.

(12) *Means of access*.—Every person who erects a building shall provide as means of access to such building a clear way not less than 3.0 meters in width for buildings upto 3 storeys and 5.0 meters in width for buildings beyond three storeys from a street to the entrance door of such buildings; such pathway to be, so long as it is used as a means of access to the building maintained free from any construction and shall not at any time cause or permit a portion of any building below a height of 4.50 meters to overhang or project over or into such a passage.

(b) He shall indicate upon the site plan required to be furnished by him under these bye-laws, the whole area of such means of access by distinguished colour and description.

(c) He shall not at any time erect or cause or permit to be erected or re-erected any building which in any way encroaches upon or diminishes the area so set apart for this purpose.

(d) The space so set apart shall be separately distinguished from any house gully or open space required to be provided under any other bye-laws and under these regulations.

(e) Every such means of access shall be paved, drained and lighted to the satisfaction of the Chief Officer. Provision of manhole covers or any other fittings laid in such means of access shall be flush with the finished surface level so as not to obstruct safe travel over the same.

(f) A person who undertakes construction works on a building shall not reduce the access to any building previously existing below the minimum width of 5 meters.

(g) No building shall be erected so as to deprive any other building of the means of access as provided in this section.

(13) *Minimum Ceiling Height of Rooms*.—Every habitable room in any building shall be in every part at least 2.30 meters in height from the floor to the underside of the roof slab or ceiling, provided that in the case of sloped roof the height at any point shall not be less than 2.5 meters.

(14) *Minimum size of Habitable Rooms*.—No habitable room shall have a floor area of less than 10.00 sq. metres except in the case of hostels attached to recognised educational/sports institutions/Associations, the minimum size of a habitable room for the residence of a single person may be 8.5 sq. metre. The minimum width of a habitable room shall be 2.5 metres.

All other rooms which are not mentioned on these Bye-Laws shall also be of sizes prescribed in this section and have light and ventilation as per the habitable room rules except in case of store rooms with an area of five sq. metres to a minimum of 3 sq. metres.

(15) *Lighting and ventilation of Rooms*.—a) Every habitable room shall have for the admission of light and air, one or more appertures such as windows, fan-light, etc., opening directly to external air or into an open verandah, and of an aggregate area, inclusive of frames, of not less than 1/10 of the floor area excluding doors except in cases of hospital wards, dormitories and schools when such appertures are to be not less than 1/6th of the floor area.

Note: No portion of a room shall be assumed to be lighted, if it is more than 7.5 metres away from the external facade of the building. However, this rule of 7.5 m. need not be strictly made applicable in case of cultural and institutional buildings, and buildings of commercial offices with banks etc., in central commercial areas. In such cases 15% of the floor area should be kept for window openings inclusive of frames and exclusive of the doors.

b) Cross ventilation by means of windows shall be effected in at least one habitable room of a tenement either by means of windows in opposite walls or if this is not possible or advisable, then at least in the adjoining walls.

c) Every habitable room abutting on an interior open space or an open verandah opening on to such interior open space, shall have for light and ventilation an open space of minimum 10 sq. metres with a minimum dimension of 3 metres and of width as specified in the table below:

| Where height of the building adjoining the open air space does not exceed | Minimum width of open air space throughout |
|---|--|
| 4.9 metres | 3.0 metres |
| 7.6 metres | 3.3 metres |
| 10.9 metres | 4.0 metres |
| 14.2 metres | 4.7 metres |
| 17.5 metres | 5.4 metres |
| 20.8 metres | 6.1 metres |
| 24.1 metres | 7.4 metres |
| 27.1 metres | 9.0 metres |
| 30.7 metres | 10.6 metres |
| 34.0 metres | 12.2 metres. |

When two habitable rooms face an internal courtyard the minimum size of the courtyard to be 6.25 sq. m. and the minimum dimension to be 2.5 metres.

However In case of buildings located/situated in the central commercial areas/local commercial areas, wherein provision of air conditioning (by artificial/mechanical methods) is made, this section above is not applicable.

16. *Bathrooms and water closets*.—Every bathroom or water closet shall:

a) be so situated that at least one of its walls shall open to external air. In case of cultural and educational institutions, cinema and hotel buildings however, W.C's and bathrooms with a partition of a height of not less than 1.80 metres from the ground may be allowed in a row within a room, one side of which shall open to external air, with an opening of at least 10% of the floor area of the room.

b) have (i) a floor area in case of bathroom inclusive of water closets or not less than 3 sq. metres for which the smallest side shall not be less than 1.25 metres.

(ii) in case of a bathroom exclusive of a water closet, the floor area shall not be less than 2.0 sq. metres and the smallest side not less than 1.20 metres; and

(iii) in case of separate water closets, the floor area shall not be less than 1.1 sq. metres and the smallest side not less than 0.90 metre.

c) bathrooms shall have a window or a ventilator open to external air of a superficial area of not less than 0.80 sq. metres and the water closet, if separate, shall have a window or a ventilator open to external air of a superficial area of not less than 0.50 sq. metres.

d) Ceiling height of not less than 2.2 metres.

2. Every bathroom or water closet shall:

a) Not be directly over or under any other room other than another bathroom or water closet, washing place, terrace or bath unless it has a water-tight floor;

b) have the platform or seat either plastered with cement or be made of some of water tight non absorbent material.

c) be closed by walls or partitions of brick or stone. The surface of every such wall or partitions shall be finished with a smooth impervious surface such as cement plaster 12 millimetres thick or glazed tiles or polished marble or any other suitable material to a height of one meter above the floor of such room.

d) have an impermeable floor made of smooth hard materials having a suitable fall to a soil pipe with an adequate trap connection and have a floor level of such a height so as to ensure suitable grade towards the building sewer.

3. No room containing a water closet shall be used for any purpose other than a lavatory and no such room shall open directly into any kitchen or cooking space. Every

room containing a water closet shall have a door completely closing the entrance to such a room.

Note: 1. In case of residential hotels bathrooms and water closets may face an internal passage having a width of not less than 1.80 metres.

2. Loft over a bath and w. c. may be permitted above a height of 2.2 metres.

17. *Kitchens.*—1. A kitchen shall have floor area of not less than 7 sq. metres and shall not be less than 2 metres in width.

Each kitchen not fully equipped with electric or gas cooking appliances shall be provided with a flue.

2. Every room to be used as a kitchen shall have:—

- a) a height of not less than 2.8 metres.
- b) window of not less than 0.5 square metres superficial area.
- c) an impermeable floor and an impermeable dado one metre high.

18. *Lofts, Mazzanines and Basements.*—a) Lofts may be allowed only in kitchen, bath, W.C. & bed-room, provided the total area of such loft may not be more than 25% of the floor area of each room in which such lofts are provided. The height at which such loft may be allowed to be constructed shall be 2.2 metres from the floor levels.

b) Mazzanine floor:—Mazzanine floor may be permitted over a room or a compartment provided that:

- i) it means an intermediate floor, between two main floors not less than 2.20 m. in height from the lower level of floor and 2.30 m. in height from the intermediate level to the ceiling of a room or hall and not more than 1/3rd of floor area in which it is constructed;
- ii) it is so constructed as not to interfere under any circumstance with the ventilation of the space over and under it;
- iii) such mazzanine floor is not divided into smaller compartments;
- iv) such mazzanine floor or any part of it shall not be used as a kitchen;
- v) in no case a mazzanine floor shall be closed so as to make it liable to be converted into unventilated compartment.

c) Basement floor: No basement area shall be allowed within the prescribed set back areas. The entire basement area shall be taken into consideration for the purposes of working out coverage and shall not be considered for the purposes of Floor Area Ratio calculations provided it is entirely below the ground.

19. *Building Abutting on to a street.*—No erection, re-erection or major alteration of building shall be undertaken if at the opposite edge of the street on which the building abuts, straight lines drawn downwards and outwards from the line of intersection of the outer surface of any front wall of the building with the roof perpendicular to that line form an angle of more than 45 degrees to the horizontal.

20. *Building Abutting on Two streets.*—If a building abuts on two or more streets of different widths, the building shall be deemed for the purpose of this bye-law to face upon the street that has the greater width and the height of the building shall be related by the width of that street and may be continued at this height to a depth of 13.5 metres along the narrower street subject to the conformity with the prescribed road angles. In case of buildings located/situated in the Central Commercial Area, the building may be continued to the same height to the entire depth of the plot along the road, provided the R/W of this side road is not less than 15 metres.

21. *Dimensions for Staircase steps, corridor, passage and balcony:*—

i) In a residential building no staircase shall be less than 0.9 metres in width and no step shall have a rise of more than 20 cm and a tread of less than 25 cm. In case of service or spiral staircase the width shall not be less than 0.75 metres.

ii) No corridor or passage or balcony in any residential building shall be less than 0.90 metres.

iii) No rooms other than those at ground floor level shall be more than 18.0 metres away from a staircase.

iv) Every building with five storeys or more in height shall provide an independent external staircase to serve a fire escape directly accessible to every habitable room on each floor, the construction of which is to be of approved fire resistant material.

22. *Regular line of street:*—No portion of any building shall project beyond the regular line of any street as prescribed by the Chief Officer.

23. *Sites containing Deposited Refuse:*—No building shall be constructed on any site on any part of which there is deposited refuse, excreta or other offensive matter to which the health authority having jurisdiction objects, until such refuse has been prepared or left in a manner suitable for building purpose to the satisfaction of the Chief Officer.

Provided that where it is intended to found a building on piles or on reinforced concrete pillars the Chief Officer may approve the erection of such a building after the refuse has been appropriately treated by chemical or some other manner to the satisfaction of the Chief Officer and has been covered by a layer of sand or other suitable material to a depth of not less than 0.6 metres, or by a layer of cement concrete not less than 15 cms thick.

24. *Damp sites:*—Wherever the dampness of a site or the nature of the soil renders such precautions necessary, the ground surface of the site between the walls of any building erected thereon shall be covered with a layer of sound cement concrete not less than 15 cm. thick or with asphalt paving or a layer of closely packed broken stone hard cake not less than 15 cm thick or be otherwise rendered damp proof to the satisfaction of the Chief Officer.

25. *Defective work.*—The Chief Officer shall have power to condemn any work, workmanship or material executed by any person under or by virtue of a pursuant to this part of these bye-laws which in his opinion is unsatisfactory or is likely to constitute a danger to health. Any work, workmanship or materials so condemned shall be remedied, amended or made good or shall be removed in whole or in part and replaced by new work, workmanship or materials as the Chief Officer may require until finally completed to his entire satisfaction.

26. The requirements of water supply and sanitary installations of the buildings shall conform to those specified in I. S. 1172-1957. In the case of buildings five storeys or more in height, provision shall be made for the construction of an underground water reservoir of capacity equivalent to thirty times the capacity of the anticipated resident population in the building, an additional overhead cistern to which the wash basin, water taps in the kitchen, bath, etc., in the building shall be connected.

27. *Buildings under Dangerous Conditions.*—Buildings considered to be in a danger although they do not fall in line of imminent ruin, will be asked to vacate by the Chief Officer and shall be declared habitable only when proper repairs are undertaken and considered to be in a good condition of security.

28. *Disposal of waste waters.*—Where the arrangements are not made by the Government for the removal of waste waters by the drainage system it will be obligatory for every application for a new construction or any additions or alteration to be accompanied by plans for properly designed septic tank within the curtilage of the plot. No other method for removal of waste waters would be sanctioned.

29. *Construction of wells.*—No drinking water well shall be opened without the prior consent of the Chief Officer.

30. *Architectural features.*—1. Appearance and disfigurements.—No building shall be erected which in the opinion of the Chief Officer constitutes a disfigurement to or an interference with the aesthetic and other amenities of the area. No construction or alterations which in the opinion of the Chief Officer will depreciate neighbouring property or cause annoyance to residents in the neighbourhood shall be permitted. The appearance of all new buildings shall be subject to the approval of the Chief Officer.

2. Maintenance.—The Council is empowered to demand that owners undertake at their own expense any maintenance work that it deems necessary for the decorative repair of buildings. Such work should be completed within the period prescribed in the covering notice.

3. Verandahs. — The appearance of all verandahs and similar projections shall be subject to the approval of the Council which may demand that such existing structures be altered where necessary at the owner's expense so as to conform harmoniously with the neighbouring area.

4. Unfinished buildings. — No building shall be left with unfinished portions including projecting reinforcing bars, which in the opinion of the Chief Officer are unsightly, unless within the permission and prescribed conditions with respect to the structure and the period for which such permission remain valid.

5. Masts. — All wires, poles, masts, stays, structures, lighting conductors and similar fixtures on new buildings shall be straight and of good appearance to the satisfaction of the Chief Officer.

6. Unsightly materials. — The use of any disfigured or damaged materials which in the opinion of the Chief Officer results in an unsightly appearance of a building shall not be allowed.

7. Steel metal fences. — No sheet metal fence visible externally shall be erected on the frontage line or street line unless the design thereof has been approved by the Chief Officer.

8. Maximum heights of compound walls or fence of any description. — The maximum height of the boundary or compound wall or fence of any description shall be as follows:

Front compound wall — 1.50 metres above the centre line of the front street.

Rear and side compound wall — 2.00 metres above the centre line of the service road, in case such service road exists or 2.00 metres above the centre line of front street in case the plots are back to back. When the plot is at a junction side the compound wall has to be aligned in such a way to avoid sharp corners and it should allow clear sight lines for the traffic at the junction.

9. Decoration. — Monuments, decorative and monumental fountains, bridges and viaducts, and in general the decorative and ornamental features of public gardens and squares shall be built only after the approval of the Chief Officer has been obtained, which, in addition to drawings, may demand the submission of photographs or perspectives of the composition, so that the artistic value of the project will be more efficiently and effectively illustrated.

10. Composition. — Where several facades constitute architectural composition, painting or such other treatment shall only be allowed where no aesthetic disfigurement can result to the composition as a whole.

31. Petrol filling stations/service station: —

1. Major Road. — A major road is a road with a R/W of 20m. and above.

2. Minor Road. — Minor road is road with a R/W less than 20m.

3. Petrol pump. — A petrol pump/diesel/Gasoline filling station and/or filling-cum-service station.

4. Filling station. — The term 'filling station' as used in this respect refers to a place of retail business engaged in the supply and dispensing gasoline (motor-fuel) and motor oil essential for the normal operation of automobiles and the sale and service of tyres, batteries and other automobile accessories and replacement items and washing and lubrication. They may not include body or fender work, painting or other major repairs and overhauling.

I. Zones where pumps could be permitted. — Petrol pumps could be permitted to locate in residential areas, local commercial areas, central commercial areas and industrial areas, subject to such conditions and restrictions included in the bye-laws framed hereunder: —

II. Location along Major Roads: —

1) A distance of approximately 1 km between petrol pump along National highways, West Coast Highways and State Highways and Major District Roads; outside the urban areas.

2) A distance of approximately 1/4 km on roads in Urban areas will have to be maintained while locating petrol pumps. However this distance is not applicable in case of petrol pumps located in Central Commercial

area. Such locations will, however, be on either side of the roads alternately to facilitate service both to in bound traffic and out bound traffic.

III. Distance to the Petrol Pumps from road Intersection: —

Distance of a petrol pump from any road intersection shall not be less than: —

1) 45m. from the tangent point of the intersection in the case of minor roads (however in central commercial area this will be reduced to 30m.

2) 90m. from the tangent point of intersection of major roads.

3) 43m. in case the pump is located on a minor road and 90m. in case it is located on a major road from the tangent point of the intersection of a major road with a minor road.

IV. Minimum distance to the property line: —

The minimum distance of a petrol pump (plot boundary) from the Central line of a road shall not be less than half of the proposed R/W of the road. This will be a general criterion which will be subject to modifications depending on the local condition of terrain, road improvement required and other traffic considerations.

Any construction within the property line of such a petrol pump shall be as per these bye-laws and regulations and in case of areas along the National Highways, State Highways West Coast Highways and Major District Roads, the set back will be as prescribed by the Government from time to time.

V. Size of Petrol Pump:

1) Filling Station:

Minimum Size: 30m×17m (except for Central Commercial area where the size shall be 25m×15m.

Frontage: Not less than 30m.

2) Filling-cum-service station:

Minimum size 35m×30m.

Frontage: Not less than 35m.

In Central Commercial Areas no service station will be permitted.

32. Regulations applicable to each land use Zone. — The following interim regulations shall apply to each of the land use zones specified in section 32 (I) to 32 (X) Government may make such variations as it deems fit, in the application of these regulations of any specific area under notification.

I. Residential Zone Low Density (R 1):

a) Uses Permitted. — Residences, hostels, and boarding houses, nurseries, kindergartens and schools, clinics, social and cultural institutions with public utility buildings except service and storage yards, non-commercial farms, agricultural gardens, nurseries and green houses; any neighbourhood recreational uses including clubs and other semi-public recreational uses and shop (grocer's).

b) Minimum size of plot. — The minimum area of the plot in this zone shall be 200 sq. m. where new subdivision of lands is effected. Such sub-division shall require the approval of the Council.

Each plot shall have a minimum frontage of 10 metres on any street provided that this shall not apply to existing plot frontages which are less than 10.0 metres.

c) Plot coverage. — The maximum permissible coverage on a plot of the size mentioned in column 1 below shall be as shown in column 2 below: —

| Size of plot | Maximum coverage |
|---|---|
| i) upto 300 sq. m. | 60% of the area of the plot. |
| ii) above 300 sq. m. and not exceeding 500 sq. m. | 50% of the area of the plot or 180 sq. m. whichever is more. |
| iii) above 500 sq. m. and not exceeding 1000 sq. m. | 40% of the area of the plot or 250 sq. m. whichever is more. |
| iv) above 1000 sq. m. | 33½% of the area of the plot or 400 sq. m. whichever is more. |

d) **Floor Area Ratio.**—The maximum floor area ratio in this zone shall be 100.

e) **Set back lines:**—

i) **Front set back lines.**—The building shall be set back from the boundary of the effective plot by a minimum of 3m. The effective plot is derived after reserving the space for the proposed right of way of the road abutting the plot. However where necessary to maintain the alignment of the building along the streets not likely to be affected by the road widening scheme these set back may be permitted by the Chief Officer. However, no part of the building shall encroach the imaginary line drawn from the centre line of the road along the plot front at an angle of $63\frac{1}{2}^\circ$ from the ground level upwards the building.

ii) **Rear Set back lines.**—Every building shall have a minimum rear set back of 3.0 metres. Further no part of the building shall encroach the imaginary line drawn from the plot boundary at the rear at an angle of $63\frac{1}{2}^\circ$ from the ground level upwards the building.

iii) **Side set back lines.**—If light and ventilation to habitable rooms are to be taken from the sides of the building the width of open spaces specified in the table below will apply:—

| Where height of the buildings adjoining the open air space does not exceed | Minimum width of open air space throughout up to the plot boundary |
|--|--|
| 4.9 metres | 3.0 metres |
| 7.6 metres | 3.3 metres |
| 10.9 metres | 4.0 metres |
| 14.2 metres | 4.7 metres |
| 17.5 metres | 5.4 metres |
| 20.8 metres | 6.1 metres |
| 24.1 metres | 7.4 metres |
| 27.4 metres | 9.0 metres |
| 30.7 metres | 10.6 metres |
| 34.0 metres | 12.2 metres. |

If no light and ventilation is to be taken from the side of the building the above mentioned set backs can only be relaxed if the building is taken right upto the boundary. In case of row housing buildings, on corner plots shall further be set back by such a distance from the side street as may be suitable to meet the needs of traffic.

For group housing, the coverage and floor area ratio will be as above. The maximum floor area ratio however for plots exceeding 5000 square metres in area can be 125. The set backs of buildings, garages and other structures will have to be approved in each case but normally the distance to be left from the boundary will be as per requirements mentioned above, and the distance between two buildings within the plot if belonging to the same owner should be not less than half of the mean heights of the two buildings involved, or three metres whichever is more. However, garages out houses, fuel stores and the like if not more than one storey high may be permitted at a minimum distance of 3.0 metres from the main structure. The plans would further be required to indicate adequate facilities for playing areas, parking, and garaging within the plot to the satisfaction of the Council.

II. Residential Zone R2.—Bye-laws applicable to residential zone R1 shall be applicable here except that

a) Maximum Floor area ratio shall be 125

b) For group housing the maximum floor area ratio for plots exceeding 5000 square metres in area shall be 150.

III. Residential Zone R3.—Bye-laws applicable to residential zone R1 shall be applicable here except that—

a) For group housing the maximum floor area ratio for plots exceeding 5000 square metres in area shall be 200.

IV. Local Commercial Zone C-1.—Uses permitted.

a) Retail shops, business and professional offices; service uses like barbers, tailors, laundry and dry cleaner's shop, restaurant and entertainment places (e.g. cinemas, theatres, clubs), clinics; meat, fish and fruit markets; roofed storage for retail business; public and semi-public recreational uses; public utilities and buildings and petrol

pumps, service garages. Flour mill/rice mill using horse power upto 15 provided the machine is run on electric power; Residence and social and welfare institutions may be allowed provided they are located on the first and higher floors. Taxi and rickshaw stands.

b) **Minimum size of plot:**—The minimum area of the plot in this zone shall be 200 sq. m. where new sub-division of lands is effected. Such sub-division shall require the approval of the Council.

Each plot shall have a minimum frontage of 10 metres on any street provided that this shall not apply to existing plot frontages which are less than 10.0 metres.

c) **Plot coverage:**—The maximum permissible coverage on each floor shall be 50% of the area of the plot.

d) **Floor area ratio:**—The floor area ratio shall not exceed 150.

e) **Set back lines:**

i) **Front set back lines:**—The building shall be set back from the boundary of the plot by a minimum distance of 3.0 metres. Where however necessary to maintain the alignment of the building along streets not likely to be affected by road widening scheme, these set backs may be relaxed by Chief Officer. Further the height of the front of the building shall be governed by the following table in relation of the width of the road right of way it fronts.

| Width of the road right-of-way or double the set back from the centre line of the road whichever is less | Height of the front of the building |
|--|-------------------------------------|
| 3.0 metres | 3.0 metres |
| 6.0 metres | 7.6 metres |
| 8.0 metres | 10.9 metres |
| 9.4 metres | 14.2 metres |
| 10.8 metres | 17.5 metres |
| 12.2 metres | 20.8 metres |
| 14.8 metres | 24.1 metres |
| 18.0 metres | 27.4 metres |
| 21.2 metres | 30.7 metres |
| 24.4 metres | 34.0 metres |

ii) **s.d.e set back lines:**

These shall be according to Zone R1

iii) **Rear set back lines:**—

These shall be according to Zone R1

f) **Buildings abutting on two streets:**—If a building abuts on two or more streets of different widths, the building shall be deemed for the purpose of these bye-laws to face upon the street that has the greater width and the height of the buildings shall be related by the width of that street and may be continued at this height to a depth of 13.3 metres along the narrow street in conformity with the prescribed road angles.

g) **Means of access to rear courtyard:**—Every building should provide access from the front to the rear courtyard of a width of 3.0 metres minimum.

In case where the frontage is inadequate to provide the access as stipulated than a common access for more than one plot other than front could be provided.

V. Central Commercial Zone C-2:

a) The following uses are permissible:—Multi-storey buildings and apartment houses, all types of retail business, department stores, hotels and restaurants and their accessory uses; petrol filling stations professional business establishments, Colleges, technical and Research Institutions, Libraries, Offices, Banks, Financial Institutions, Theatres, Cinemas and Public Assembly Halls, Cultural centres, Social and Welfare Institutions, Public Utility buildings, Parks, Playgrounds, swimming pools and religious buildings. Public retail markets, newspaper offices, taxi and rickshaw stands, nursing homes, hospitals and medical centres, clean industries, Sports stadia, transport terminus for passengers and service garages.

b) **Minimum size of plot:**—The minimum area of the plot shall be 300 sq. m. and the minimum width of the plot shall be 10 metres where new sub-division of land is effected. Such sub-division shall require the approval of the Council.

c) Plot coverage:—The maximum coverage, on each floor shall be 50% of the area of the plot.

d) Floor Area Ratio:—The floor area ratio shall not exceed 250.

e) Set back lines:—

i) Front set back lines:—These shall be according to Zone C1 except that the 3.0 m minimum set back stipulated therein is not necessary.

ii) Side set back lines:—These shall be according to Zone R1.

iii) Rear set back lines:—These shall be according to Zone R1.

f) Buildings abutting on two streets:—These shall be according to Zone C1.

g) Means of access to rear court yard:—These shall be according to Zone C1.

VI. Wholesale Commercial and Warehouse Zone C-3:—

a) Uses permitted:—All retail and wholesale business establishments, offices, banks, financial institutions, service industries, petrol filling station with garages and service stations, public utility buildings, newspaper offices with printing presses, parks, playgrounds, contractor's plants, warehousing, cold-storage, public and private retail and wholesale markets; transport terminal for goods and passengers, hotels and transit visitor's homes. All clean industries, Taxi and rickshaw stands, storage of perishable and inflammable goods, sports stadia, swimming pools and other recreational uses.

b) Minimum size of plot:—The minimum area of the plot shall be 500 sq. m. and the minimum width of the plot shall be 15 metres where new sub-division of land is effected. Such sub-divisions shall require the approval of the Council.

c) Plot coverage:—The maximum coverage on each floor shall be 40% of the area of the plot.

d) Set back lines:—

i) Front set back lines:—These shall be according to Zone C1.

ii) Side set back lines:—These shall be according to Zone R1.

iii) Rear set back lines:—These shall be according to Zone R1.

e) Building abutting on two streets:—These shall be according to Zone C1.

f) Means of access of rear courtyard:—These shall be according to Zone C1.

VII. Institutional Zone:—

a) Uses permitted:—Educational, cultural and scientific institutions and their accessory uses; dwellings for the inmates of the institution, non-commercial hotels.

b) Minimum size of plot shall not be less than 1000 sq. m.

c) Plot coverage:—The maximum permissible coverage on each floor shall be 40% for a plot less than 9000 sq. m. in area and 20% for a plot greater than 9000 sq. m. in area. Areas within the plot used for organised sports will not be taken into account for plot coverage calculations.

d) Floor area ratio:—The floor area ratio shall not exceed 150.

e) Set back lines:—

i) Front set back lines: There shall be a minimum front set back of 6 metres.

ii) Side set back lines: These shall be according to Zone R1.

iii) Rear set back lines: These shall be according to Zone R1.

Note:— Existing Institutional Buildings in zone other than in Institutional zone may be permitted by the Chief Officer to construct buildings according to the requirements such as parking, open space and play grounds, are satisfactorily met.

In case of buildings on the same plot minimum distance between any two adjacent buildings is to be not less than

3.0 m (three metres) if the buildings are staggered and no light and ventilation is taken from the facing wall sides. However, if buildings are constructed parallel to one another then the usual light and ventilation standards are applicable.

VIII. Light and Service Industries Zone 'I-1':—

Uses permitted:—All types of light industries, clean industries and service industries; wholesale business establishments, warehousing and storage; newspaper offices with printing presses; petrol filling station with garages and service stations, cold storage plants, contractor's plant, parks and playgrounds, general purpose farms, nurseries and green houses, medical centres, restaurants, public utility buildings, transport terminal for goods and passengers. Storage of perishable and inflammable goods, sports stadia, swimming pools and other recreational uses. Junkyards, taxi, and rickshaw stands, educational, technical and research institutions;

b) Minimum size of plot:—The minimum size of the plot shall be 300 square metres where new sub-division of land is effected. Such sub-division shall require the approval of the Council.

c) Plot coverage:—The maximum permissible coverage on each floor shall be 60% of the area of the plot, for plots upto 500 sq. m.; For plots over 500 sq. metres coverage will be 50%.

d) Floor area ratio:—The maximum floor area ratio shall be 100.

e) Set back lines:—

i) Front set back lines:—The building shall have a minimum front set back of 5.0 metres.

ii) Side set back lines:—These shall be according to Zone R1.

iii) Rear set back lines:—These shall be according to Zone R1.

IX. General Industrial Zone 'I-2':—

a) Uses permitted:—All industries except Obnoxious and Hazardous industries, wholesale business, warehouses, and storage.

All other uses permitted in the light industries zone except taxi and rickshaw stands.

Storage of perishable and inflammable goods, quarrying of gravel sand, clay or stone.

b) Minimum size of plot:—The minimum area of the plot shall be 1000 sq. metres where new sub-division of land is effected. Such sub-division shall require the approval of the Council.

c) Plot coverage:—The maximum permissible coverage on each floor shall be 33 1/3% of the area of the plot.

d) Floor area ratio:—The maximum floor area ratio shall not exceed 66 2/3%.

e) Set back lines:—

i) Front set back lines:—The minimum front set back line shall be 6.0 metres.

ii) Side set back lines:—The minimum set back line shall be 6.0 metres.

iii) Rear set back lines:—The minimum set back line shall be 3.0 metres.

X. Agricultural Zone:—

Bye-laws applicable to Zone R1 shall be applicable here except that:—

a) Uses permitted are:—Dwellings for the people engaged in the farm, farm houses and accessory buildings. Agriculture, horticulture, dairy, poultry farms, animal rearing and breeding stables, etc., cottage industries and storage, processing and sale of farm produce. Petrol and other fuel filling stations, schools, libraries, religious buildings, public utility buildings. Workshops for servicing and repair of farm machinery.

XI. Public and semi-public open spaces, parks and playgrounds:—

a) Uses permitted:—Sports stadia, swimming pools, gardens, playgrounds, golf course, and other recreational uses requiring extensive open space. Restaurant/bars/public latrines; taxi and rickshaw stands.

33. (1) Any new construction to be erected in the Residential and Commercial zones on an existing plot with existing permanent structure can be permitted on additional coverage of 10% in excess of the one stipulated in these bye-laws. This, however, does not apply to cases where the existing plot coverage is less than the one stipulated in the bye-laws.

In cases where the existing coverage is within 10% in excess of the stipulated one, no coverage in addition to the existing one will be allowed.

(2) For determining floor area ratio normally:—i) Covered areas used for purposes of parking cars would be excluded from the calculations on the following basis:—

a) Residential Zones:—1 parking space of 20 sq. metres per dwelling unit not less than 75 sq. metres floor area.

b) Commercial Zones:—1 parking space of 20 sq. metres area per floor area of 150 sq. metres.

c) Institutional Zones:—1 parking space of 20 sq. metres area per floor area of 150 sq. metres.

d) Industrial Zones:—1 parking space of 25 sq. metres area per floor of 25 sq. metres.

(3) Balconies if not protruding beyond 1.5 metres of the external wall of the building would have only half the area included in floor area ratio. If balconies project beyond 1.5 metres of external wall then the entire area would be included in the floor area ratio.

No balconies shall be permitted in the open air space upto plinth level except steps leading to the plinth level at the entrance of the building. Balconies protruding upto 1.5 metres from the external wall above the first storey shall not be considered for set backs in the open space.

(4) In the Central Commercial area, the footways may be covered above the first storey level to their full width and they would have only half the area of such covered projections included in the F.A.R. Such projections may have cantilevers or columns on the ground floor abutting the edge of the footways and the kerb of the road.

(5) Plots affected by the proposed road widening, Municipal/Government schemes published under notification shall be given an additional F.A.R. equal to the half of the affected area of the plot.

34. Layouts of sub-division of land and development:—

i) No plot shall be less than 200 sq. metres in area and frontage not less than 10 metres.

ii) Normally the length of the plot shall not be more than three times the width.

iii) Every plot shall have a means of motorable access of which the right of way shall be determined by:—

a) An access of 3M when the part or total area of land to be sub-divided is not more than 500 sq. metres.

b) An access of 6M R/W when part or total area of land to be sub-divided is between 500 sq. metres and 1500 sq. metres.

c) An access of 8 metres R/W when part or the total area of land to be sub-divided is between 1500 sq. metres and 4000 sq. metres.

d) An access of 10 metres R/W when part or total area of land to be sub-divided is to be between 4000 sq. metres and 20000 sq. metres.

e) An access of 12.5m R/W when the part or total area of the land to be sub-divided is more than 20,000 sq. metres.

f) All the above accesses mentioned in a), b), c), d), and e) with dead ends shall have cul-de-sacs.

iv) When the land to be sub-divided, whether it be continuous piece or divided by the proposed planning scheme, is more than 4,000 sq. metres 15% of total area shall be provided for usable recreational cum open space to the satisfaction of the Council.

v) The recreational space to be provided under sub-clause (iv) shall have a means of access as if it were a separate plot and as far as possible it shall be in one piece and in no case less than 500 sq. metres in area. No dimension of a recreational space shall be less than 15 metres.

vi) The layout of sub-divisional proposal shall take into account the provisions of the zoning plan and if the land is affected by any reservation for a public purpose it shall be adjusted and incorporated in the layout plan accordingly.

vii) In case of a layout or sub-division of land for 1½ hectare or more in area in a residential zone (without a shop line) the Council may permit shops, on the basis of one shop for 30 dwellings, in such a position so as not affect the surrounding development.

viii) In the case of a layout or sub-division of a land of 1 hectare or more in area a suitable site for an electric sub-station shall be provided, if necessary.

ix) In all case, except for a family sub-division and that involving an area of less than 1,500 sq. metres no plot shall be transacted upon before the provision of minimum facilities such as development of roads and open space provided therein in the approved plan with other provisions, incorporated for drainage, water supply and electricity to the satisfaction of the Municipal Council.

x) The roads will have a maximum permissible gradient of 1:15.

xi) The Council on receipt of an application for development and sub-division into plots of any area of length as set in the bye-laws from any agency shall forward to the Public Works Department, Electricity Department for getting their specific remarks regarding provision of water supply, sewerage and electricity line. Based on their comments and remarks the Council shall intimate to the developing agencies conditions under which proposed sub-division would be allowed.

xii) Provisional and final certificate to the developing agency shall be issued by the Council.

xiii) Providing of water bound macadam road and surface drainage shall be insisted upon in all cases, black topping of these roads with asphalt shall be insisted upon only when the main public road giving access to the area is asphalted. Likewise providing of internal water supply lines and electricity lines shall be insisted upon if the Public Works Department and Electricity Department so desire and if there is possibility of giving connection to the internal lines from the public lines if such lines exist in the vicinity of the area.

xiv) Providing of sewerage lines, if insisted upon, on the advice of P.W.D. The developing agency shall have to pay to the Public Work Department entire cost of scheme as demanded by the development, in case such scheme is included in the development of the land and the cost concerned is recovered from the purchase of the plot.

xv) Electricity lines will be provided by the Electricity Department in accordance with the procedure prescribed by that Department.

xvi) It shall be made a condition while issuing certificate that whatever conditions that are imposed upon the developing agency shall be intimated by them to every client before entering into any transaction for sale of plots.

xvii) Where filling of land is necessary for the development of land, the Council shall not issue provisional certificate only after the filling is done first.

xviii) When the developing agency sells or intends to sell plot/plots to its prospective clients the developing agency should be asked to deposit such amounts with the Council as may be decided; depending upon the quantum of developing work imposed upon it in the provisional certificate. A bank guarantee or a fixed deposit receipt from a scheduled bank, duly endorsed in favour of Council may all be accepted in lieu of actual deposit.

Any other rules regarding the minimum size of the plot are to be as per the other provisions of the sections herein.

35. *Authority to enter into land:*—Any person may be authorised to enter into or upon any land or building, under the provisions of section 318 of the Act.

36. *Control of Building activities along Highways:*—In order to regulate and control building activities along National Highways, State Highways, West Coast Highways, Major District roads and major urban roads as notified by the Government from time to time, persons responsible for carrying out excavation, earthwork construction demolition or repairs to all sides within 100 m. from these roads shall

apply to the Council for permission to carry out such work in accordance with the set back mentioned herebelow:—

| Type building activities | National highway or state highway or west coast highway | Major district road | Major urban arteries |
|---|---|----------------------|----------------------|
| Theatres, Industrial Units, etc. Major commercial establishments | 8m. front set back | 5m. front set back | 8m. front set back |
| Residential | 5m front set back | 3m. front set back | 3m. front set back |
| Institutional | 8m. front set back | 5m. front set back | 5m. front set back |
| Excavation | 100m. front set back | 100m. front set back | 50m. front set back |

37. Power to require boundary walls, hedges and fence to be constructed or removed:—The Chief Officer may by notice, require the owner or occupier of any land abutting on any public street:—

- a) To remove partially or wholly from the land any boundary wall, hedge, or other fence which is, in his opinion, likely to obstruct or cause a hindrance to traffic or is otherwise objectionable;
 - b) To construct on the land sufficient boundary walls, hedges or other fences of such material, description and dimensions as may be specified in the notice;
 - c) To maintain the boundary walls, hedges or other fences on the land in good order;
 - d) To cut or trim trees growing on the land and overhanging the street and obstructing the traffic or causing danger to such traffic.
- Any additional provisions or amendments as and when proposed by the Government or the Council shall take effect upon notification.

ANNEXURE

Schedule of Taxes/Fees

| | |
|--|--|
| a) Fees for registration of architect, structural designer/civil engineer | Rs. 10/- per annum. |
| b) For the approval of the project (plans of construction of a building) excluding item 'c' below | ½% of the estimated cost of the building subject to Rs. 250/- minimum. |
| c) For the approval of the project (plans) of the construction of fencing wall, well, introduction of internal changes or any other minor construction/repairs and other non-specified works | Rs. 100/-. |
| For the approval of the R. C. C. design and drawings | 0.25% of the estimated cost of building subject to Rs. 100/- minimum. |
| d) Compounding fees in case of illegal construction to be regularised in addition to usual taxes/fees | Rs. 250/-. |
| e) For the renewal of original licence when renewed within the permissible time | 25% of the original rate of taxes/fees |
| f) For the revalidation of the licence | 50% of the original rate of taxes/fees. |
| g) For the extraction of copies of plans | Rs. 50/- per 1 copy set. |
| h) For the authentication of copies of the plans approved | Rs. 10/-. |
| i) For the occupation of municipal roads/footways and other for storing construction materials. | Re. 1/- per square metre per month (Minimum Rs. 10/-). |

- j) For the reinstatement of dug out roads for any approved purpose Rs. 15/- per square metre subject to minimum Rs. 20/-.
 - k) For the erection of temporary covered accommodation in municipal plot or public street Re. 1/- per sq. metre per month (Rs. 10/- minimum).
 - l) For the issue of additional copy of construction licence (challan) Rs. 10/- per copy.
 - m) For the erection of temporary covered accommodation in the private plot Paise 50 per square metre (Minimum Rs. 10/-).
 - n) For any other non-specified licence/permission Rs. 50/-.
- Panaji, 19th May, 1975. — Vasco Alvares, Chief Officer.
Seen. — The President, F. A. Branco.

PANJIM MUNICIPAL COUNCIL

Schedule I

(See bye-law 5B)

Form of notice of intention to erect a building or execute any work

From
...
...
To
The Chief Officer,
Panjim Municipal Council,
Panjim
Sir,
I/We hereby give notice that I/We intend to erect/re-erect/add to/alter/execute the following works situated at ... in Ward No. ... according to plans submitted herewith.
Description of construction, Specifications: General and detailed
...
...
...
I/We attach (a) site plan in triplicate showing the position of the plot proposed to be built upon and showing water supply and sewage disposal lines;
(b) 3 copies of plans, elevations, sections and other details of the proposed construction with or without projections; as required by Panjim Municipal Council (Buildings) Bye-Laws 1975.
I/We hereby declare that I/We am/are the owner/owners or authorised agents of the property to be built upon.
The plans have been prepared by: Name of licenced architect/engineer ...
Licence No. ...
Address ...

Yours faithfully,
Signature of owner/owners or authorised agent/agents
S/o
W/o
D/o
Full postal address ...

Dated ...

PANJIM MUNICIPAL COUNCIL

Schedule II

(See bye-laws 5D)

Building Permit No. ...

Tax for ...
Tax for ...
Tax for ...
Tax for ...
...

Tax for ...

...

Emoluments ...

Total:

has paid the aforesaid amount of rupees ...

as per bye-laws in force, for ...

...

...

...

The permit holder shall observe the following conditions besides these set in (building) bye-laws (1975)

1. The construction should be at least 2.0m away from any overhead electrical line passing adjacent to the building.

2. When the electrical line passes above the building under construction the vertical clearance above the highest part of the building immediately under such line shall be 4.0m minimum.

3. No materials of construction or earth from excavation or any other material can be dumped on the footpath or carriage way of the road without prior permission of the Municipality subject to cancellation of licence issued.

4. Time limit for completion of the work is ... months, from today.

Panjim ...

The Cashier,

The Chief Officer,

PANJIM MUNICIPAL COUNCIL

Schedule III

(See Bye-Laws 5A)

Form of refusal of sanction

To

...

...

...

No. ...

Dated ...

Dear Sir,

With reference to your application No. ... dated ... for the grant of sanction for the erection of a building/execution situated at ... in ward No. ... I have to inform you that the sanction has been refused on the following grounds:—

1. ...

2. ...

3. ...

4. ...

5. ...

6. ...

Yours faithfully,

Chief Officer

Panjim Municipal Council

PANJIM MUNICIPAL COUNCIL

Schedule V

(See bye-Law 9a)

Form of notice of commencement of the erection of building or the execution of the work

From:

...

...

To:

Chief Officer,

Panjim Municipal Council,

Panjim.

Sir,

I/We hereby give you notice that I/We intend to commence the erection/re-erection of the building or the execution of work situated at ... in ward No. ... dated ... in accordance with the plans, elevations and sections, sanctioned vide No. ... dated ...

I/We request you, therefore, to give necessary alignment.

Yours faithfully,

Signature of owner/owners
or authorized agent/agents

S/o

W/o

D/o

Full Postal Address ...

...

Dated:

PANJIM MUNICIPAL COUNCIL

Schedule VII

(See Bye-Law 10A)

Form of Notice of Completion

To,

The Chief Officer,

Panjim Municipal Council

Panjim

Dear Sir,

I/We hereby give notice as required by sub-section (1) of section 188 of the Act, that I/We have completed the erection of the building/execution of the works situated at ... in ward no. ... in pursuance of the sanction granted by the Chief Officer vide his No. dated ...

Permission to occupy or use the building as required by sub-section (2) of section 188 of the Act, may be granted.

Yours faithfully,

Signature of Owner ...

Name of Owner ...

Address of Owner ...

...

...

Dated ...

PANJIM MUNICIPAL COUNCIL

Schedule VIII

(See Bye-law 10)

Form of Occupancy Certificate

I hereby certify that building situated at ... in ward No. ... has been inspected by me and I declare that the building conforms in all respects of structural safety, fire safety, hygienic and sanitary conditions inside and in the surroundings and is fit for occupation.

Signature ...

Chief Officer

Panjim Municipal Council

Dated ...